

Remarks/Arguments

Upon entry of the above amendments, Claims 1, 2, 4, and 8 will be pending in the instant application. Applicants concurrently submit a supplemental Information Disclosure Statement (IDS) and a Request of Continued Examination (RCE) with the instant amendments for consideration.

Applicants cancelled claims 7 and 9 without prejudice to the subject matter contained therein. Applicants amended claims 1 and 8. The original claims and specification provide support for the amendments to the claims. No new matter has been introduced.

Rejection Under 35 U.S.C. § 112

Claims 7-9 stand rejected under 35 U.S.C. §112, first paragraph, allegedly because they are not enabling for (1) a composition comprising (a) a therapeutically effective amount of a compound of Formula I and (b) a second drug substance; (2) a method for treating diseases other than breast cancer. Applicants respectfully disagree with the Examiner assertion.

Applicants amended claim 8 to recite specifically breast cancer. Applicants make this amendment to expedite prosecution and Applicants reserve the rights to pursue the canceled subject matter in a related application. Applicants assert that the claims as amended are fully enabled by the instant application.

In view of foregoing, Applicants respectfully request that the rejection under 35 U.S.C. § 112, first paragraph be withdrawn.

Rejections Under 35 U.S.C. §102

Claims 1-2, 4 and 7-9 stand rejected under 35 U.S.C. §102(b) as being anticipated by Pease et al., WO 01/64654. Specifically, the Examiner contends that the instant reference teaches that one of their compounds that falls within the genus of the instant claims, i.e. 2,4-Di-(4-sulphamoylanilino)-5-bromopyrimidine on page 40.

Applicants amended the definition of R⁷, R⁸ and R⁹ to no longer include -SO₂N(R¹⁰)R¹¹. Pease discloses a structure which carries a sulfonamide group on a different phenyl ring of the compounds of formula (I), i.e. on the phenyl ring which carries substituents R⁷, R⁸, R⁹ of the instant application. Therefore, Pease fails to disclose a construction as required in claim 1 of the instant application.

In view of the foregoing, Applicants respectfully request the rejections under 35 U.S.C. §102(b) be withdrawn.

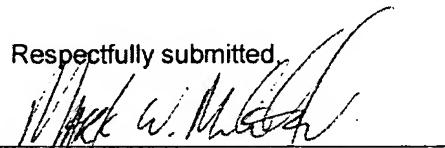
CONCLUSION

Applicants addressed each and every issue set forth by the Examiner. Applicants respectfully request submit that the claims are in good condition for allowance.

If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

The Commissioner is hereby authorized to charge payment to Deposit Account No. 50-4409 for additional fees under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly extension of time fees.

Respectfully submitted



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